

WHI04RDM

TYPE OF RECORD: PERMANENT

CATEGORY OF RECORD: EASEMENT

NAME OF PROPERTY OWNER OR GRANTOR: JOHN WHITING

PURPOSE: FOR THE RIGHT OF INGRESS AND EGRESS  
FOR THE INSTALLATION, OPERATION, MAINTENANCE, REPAIR AND  
REPLACEMENT OF WATER PIPELINES AND RELATED FACILITIES  
REEDER MESA WATERLINE

ADDRESS: 7841 REEDER MESA ROAD

PARCEL NO: 2969-261-00-439

CITY DEPARTMENT: PUBLIC WORKS

YEAR: 2004

EXPIRATION: NONE

DESTRUCTION: NONE

## WHEN RECORDED RETURN TO:

City of Grand Junction  
 Real Estate Division  
 250 North 5<sup>th</sup> Street  
 Grand Junction, CO 81501

2217654 BK 3752 PG 830-833  
 10/05/2004 09:24 AM  
 Janice Ward CLK&REC Mesa County, CO  
 RecFee \$25.00 SurChs \$1.00  
 DocFee EXEMPT

## GRANT OF EASEMENT

John Whiting, Grantor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted and conveyed, and by these presents does hereby grant and convey unto the City of Grand Junction, a Colorado home rule municipality, whose address is 250 North 5th Street, Grand Junction, Colorado 81501, Grantee, two Perpetual Easements for the installation, operation, maintenance, repair and replacement of water pipelines and related facilities, on, along, over, under, through and across the following described parcels of land, to wit:

Certain easements for water line purposes being a portion of that certain property lying partly in the West Half (W 1/2) of Section 25, partly in Section 26, partly in the South Half of the Southeast Quarter (S 1/2 SE 1/4) of Section 23, partly in the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) of Section 24 and partly in the North Half (N 1/2) of Section 35, all in Township 2 South, Range 2 East of the Ute Principal Meridian, County of Mesa, State of Colorado, being more particularly described as follows:

Water Line Easement A

BEGINNING at the Northwest corner of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of said Section 26, being a controlling corner of that certain parcel of land having Mesa County Assessor Tax Control Number 2969-261-00-439 with a Warranty Deed describing said Parcel recorded in Book 2575, Pages 997 through 999, inclusive, Public Records of Mesa County, Colorado, and assuming the North line of the NE 1/4 NW 1/4 of said Section 26 bears N 88°38'13" W with all other bearings contained herein being relative thereto; thence from said Point of Beginning, N 88°38'13" W, along the North line of the NE 1/4 NW 1/4 of said Section 26, a distance of 290.34 feet; thence S 80°43'17" E a distance of 673.72 feet; thence S 83°33'32" E a distance of 307.64 feet; thence S 81°31'13" E a distance of 766.69 feet; thence S 82°02'12" E a distance of 496.49 feet; thence N 74°37'02" E a distance of 1080.36 feet, more or less, to a point on the West line of that certain parcel of land having Mesa County Assessor Tax Control Number 2969-252-00-433; thence S 37°12'14" W along the West line of said Parcel, a distance of 65.96 feet; thence S 74°37'02" W a distance of 569.75 feet; thence S 36°29'46" E a distance of 360.65 feet, more or less, to a point being the Southwest corner of that certain parcel of land having Mesa County Assessor Tax Control Number 2969-252-00-434; thence S 35°25'16" E, along the West line of said Parcel, a distance of 525.00 feet, more or less, to a point on the North right of way for Blue Sage Drive; thence S 54°34'44" W along the North right of way for Blue Sage Drive, a distance of 20.00 feet; thence N 35°25'16" W a distance of 524.81 feet; thence N 36°29'46" W a distance of 333.92 feet; thence N 82°56'50" W a distance of 57.73 feet; thence S 74°58'52" W a distance of 386.54 feet; thence N 82°02'12" W a distance of 524.00 feet; thence N 81°31'13" W a distance of 766.16 feet; thence N 83°33'32" W a distance of 508.22 feet; thence S 75°58'23" W a distance of 394.71 feet; thence S 67°25'01" W a distance of 112.49 feet; thence S 60°41'07" W a distance of 117.34 feet; thence S 69°10'59" W a distance of 132.58 feet; thence S 00°02'44" E a distance of 380.90 feet; thence S 01°10'16" W a distance of 802.23 feet; thence S 03°54'26" W a distance of 225.46 feet; thence S 00°39'33" W a distance of 881.81 feet; thence S 01°54'22" W a distance of 1227.28 feet to a point on the North line of Purple Sage Court, being the beginning of a 50.00 foot radius non-tangent curve, concave South, whose long chord bears S 64°13'14" W, with a long chord length of 22.59 feet; thence 22.78 feet Westerly along the arc of said curve, through a central angle of 26°06'21"; thence N 01°54'22" E a distance of 1237.56 feet; thence N 00°39'33" E a distance of 881.81 feet; thence N 03°54'26" E a distance of 225.55 feet; thence N 01°10'16" E a distance of 801.54 feet; thence N

00°02'44" W a distance of 394.50 feet; thence N 69°10'59" E a distance of 144.90 feet; thence N 60°41'07" E a distance of 117.03 feet; thence N 67°25'01" E a distance of 115.17 feet; thence N 75°58'23" E a distance of 374.84 feet; thence N 80°43'17" W a distance of 134.69 feet, more or less, to the Point of Beginning.

CONTAINS 5.672 Acres (247,074.38 Sq. Ft.), more or less, as described herein and as depicted on Exhibit "A" attached hereto and incorporated herein by reference.

#### Water Line Easement B

COMMENCING at the Northwest corner of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) of Section 35, Township 2 South, Range 2 East of the Ute Principal Meridian, being a controlling corner of that certain parcel of land having Mesa County Assessor Tax Control Number 2969-261-00-439 with a Warranty Deed describing said Parcel recorded in Book 2575, Pages 997 through 999, inclusive, Public Records of Mesa County, Colorado and assuming the West line of the NE 1/4 SW 1/4 of said Section 35 bears S 01°37'27" W with all other bearings contained herein being relative thereto; thence S 01°37'27" W along the West line of the NE 1/4 SW 1/4 a distance of 876.85 feet to the POINT OF BEGINNING; thence from said Point of Beginning, N 01°37'27" E a distance of 341.53 feet, thence N 04°52'28"E a distance of 498.78 feet to a point on the South line of Purple Sage Court, being the beginning of a 50.00 foot radius non-tangent curve, concave North, whose long chord bears S 60°03'19" E, with a long chord length of 22.08 feet; thence Easterly 22.26 feet along the arc of said curve, through a central angle of 25°30'42"; thence S 06°01'26" W a distance of 829.68 feet, more or less, to the Point of Beginning.

CONTAINS 0.305 Acres (13,273.60 Sq. Ft.), more or less, as described herein and as depicted on Exhibit "A" attached hereto and incorporated herein by reference.


TO HAVE AND TO HOLD said Perpetual Easement unto the said Grantee, its successors and assigns forever, together with the right of ingress and egress for workers and equipment to enter upon said premises, to survey, maintain, operate, install, repair, replace, control and use said Easement and the water pipelines and appurtenances and facilities related thereto, and to remove objects interfering therewith, including the trimming of trees and bushes as may be required to permit the operation of standard utility construction and repair machinery, subject to the terms and conditions contained herein.

1. Grantor shall have the right to use and occupy the real property burdened by these Easements for any lawful purpose which is not inconsistent with the rights herein granted and which will not interfere with the full use and quiet enjoyment of Grantee's rights herein granted; provided, however, that Grantor hereby covenants with Grantee that the easement area shall not be burdened or overburdened by the installation or placement of any improvements, structures, items or fixtures which may be detrimental to the facilities of Grantee or which may act to prevent reasonable ingress and egress for workers and equipment on, along, over, under, through and across the easement area.

2. Grantee's utilization of the above conveyed premises shall be conducted in a reasonable and prudent manner. The work and act by Grantee of installing, maintaining, repairing and replacing said water pipelines and related facilities shall be performed with due care using commonly accepted standards and techniques.

3. Grantor hereby covenants with Grantee that he will warrant and forever defend the above conveyed premises in the quiet and peaceful possession of Grantee, its successors and assigns, against the lawful claims and demands of all persons whomsoever.

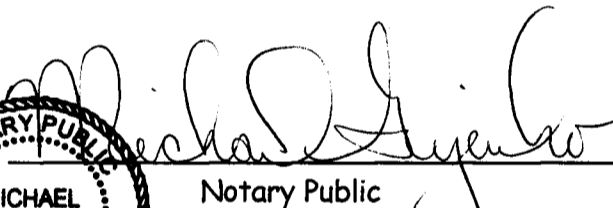
Executed and delivered this 4TH day of OCTOBER, 2004.

  
\_\_\_\_\_  
John Whiting

State of Colorado    )  
                              )ss.  
County of Mesa        )

The foregoing instrument was acknowledged before me this 4TH day of OCTOBER, 2004, by John Whiting.

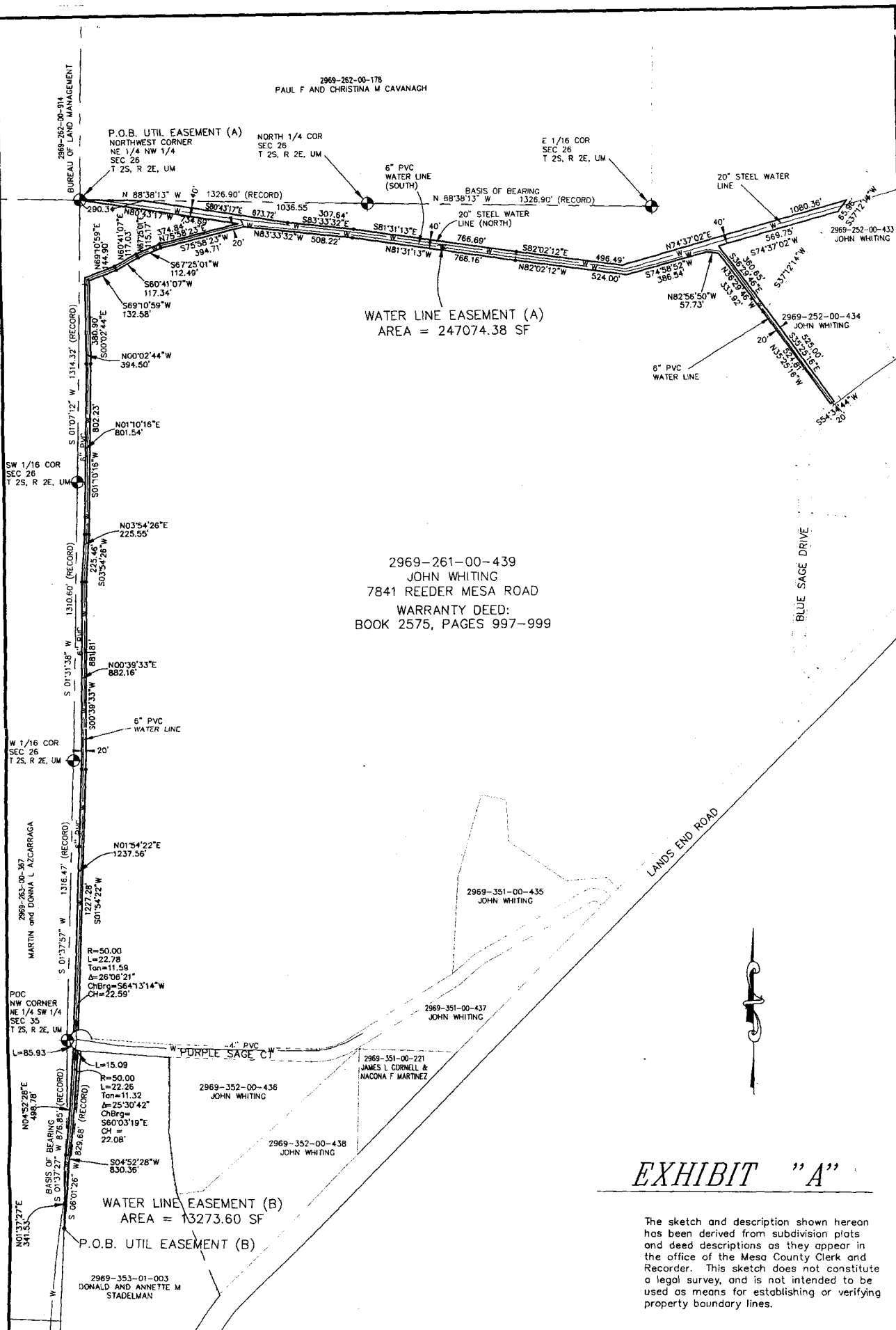
My commission expires: 10/09/2007  
Witness my hand and official seal.

  
\_\_\_\_\_  
Notary Public

My Commission Expires 10/09/2007

*Legal description by Peter T. Krick, City of Grand Junction, 250 North 5<sup>th</sup> Street, Grand Junction, CO 81501*

2969-262-00-178  
PAUL F AND CHRISTINA M CAVANAGH



WATER LINE EASEMENT (A)  
AREA = 247074.38 SF

2969-261-00-439  
JOHN WHITING  
7841 REEDER MESA ROAD  
WARRANTY DEED:  
BOOK 2575, PAGES 997-999

**EXHIBIT "A"**

The sketch and description shown hereon has been derived from subdivision plats and deed descriptions as they appear in the office of the Mesa County Clerk and Recorder. This sketch does not constitute a legal survey, and is not intended to be used as means for establishing or verifying property boundary lines.

DRAWN BY: JCS  
DATE: 6-25-2003  
SCALE: 1" = 400'  
APPR. BY: TW  
2969-261-00-439.dwg

REEDER MESA WATERLINE  
RIGHT-OF-WAY DESCRIPTION MAP

DEPARTMENT OF PUBLIC WORKS  
ENGINEERING DIVISION  
CITY OF GRAND JUNCTION